

Message Text

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ACTION AF-06

INFO OCT-01 ISO-00 SSO-00 USIE-00 INRE-00 L-03 AID-05

CIAE-00 COME-00 EB-07 FRB-03 INR-07 NSAE-00 TRSE-00

XMB-02 OPIC-03 SP-02 CIEP-01 LAB-04 SIL-01 OMB-01

(ISO) W

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O 081759Z APR 76

FM AMEMBASSY LAGOS

TO SECSTATE WASHDC NIACT IMMEDIATE 4347

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E. O. 11652: N/A

TAGS: EFIN, BDIS, NI

SUBJ: AMERICAN INTERNATIONAL INSURANCE COMPANY (AIIC)

REF : LAGOS 4218

1. AS OF MID-AFTERNOON APRIL 8 AMBASSADOR WAS STILL SEEKING APPOINTMENT WITH TRADE COMMISSIONER SHUWA. WHEN SHUWA LEARNED SUBJECT OF PROPOSED MEETING, HE INSTRUCTED HIS STAFF TO TELL US TO CLEAR THE APPOINTMENT REQUEST WITH MEA. MEA PROTOCOL CHIEF BALEWA SUBSEQUENTLY PROMISED US HE WOULD SEE SHUWA TONIGHT, OBTAIN APPOINTMENT WITH SHUWA FOR AMBASSADOR FOR MORNING APRIL 9, AND ASK SHUWA TO SUSPEND APRIL 9 DEADLINE AT VERY LEAST UNTIL AFTER MEETING WITH AMBASSADOR. (COMMENT: COMMISSIONERS HAVE RECENTLY BEEN STERNLY REMINDED THAT THEY CANNOT MEET WITH AMBASSADORS WITHOUT PRIOR AUTHORIZATION FROM MEA. AMBASSADOR KNOWS SHUWA, HOWEVER, AND HAD HOPED SHUWA WOULD SEE HIM DIRECTLY--ESPECIALLY ON AN ON-GOING ISSUE ALREADY MUCH DISCUSSED BETWEEN OUR RESPECTIVE STAFFS.)

2. MEANWHILE, NOTTINGHAM (AIIC) HAS INFORMED US THAT AIIC OFFICERS IN WILMINGTON HAVE JUST TELEPHONED HIM TO SAY GREENBERG HAS INSTRUCTED FROM TOKYO THAT NOTTINGHAM BE INSTRUCTED TO ACCEPT CHECK APRIL 9, WITH THE FOLLOWING PROVISOS:

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A. DELIVER A LETTER TO MOT STATING THAT COMPANY

REGARDS ACQUISITION AS "COMPULSORY" AND RESERVES RIGHT OF FUTURE LITIGATION.

B. NOTTINGHAM IS INSTRUCTED NOT TO AGREE TO DATE FOR SIGNING THE SALES AGREEMENT BUT IS TO ASK FOR COPY OF PROPOSED AGREEMENT. (HE DOESN'T THINK THEY'LL HAVE ONE READY.) LATER, COMPANY WILL SEEK OBTAIN TECHNICAL SERVICES AGREEMENT WRITTEN INTO SALES AGREEMENT. (NOTTINGHAM SAYS FRED EGBE, ONE OF AIIC'S PRINCIPAL LAWYERS, IS CONFIDENT THAT MOT WILLING GRANT GENEROUS DELAY ON SALES AGREEMENT SIGNATURE.)

3. WE INFORMED NOTTINGHAM OF AMBASSADOR'S EFFORTS TO SEEK DELAY OF APRIL DEADLINE FROM COMMISSIONER SHUWA. NOTTINGHAM EXPRESSED HIS THANKS FOR EMBASSY EFFORTS, BUT SAID REQUEST FOR DELAY NOW MOOT. ON OTHER HAND, RENEWED EXPRESSION OF INTEREST BY AMBASSADOR WOULD BE ADVANTAGEOUS IN SUBSEQUENT NEGOTIATIONS ON SALES AND SERVICES AGREEMENT BETWEEN COMPANY AND MOT.

4. AT AIIC REQUEST, EMBASSY OFFICER WILL WITNESS EXCHANGE OF LETTER AND CHECK TOMORROW AT MINISTRY OF TRADE. APPOINTMENT IS 10 A.M. WITH DEPUTY PERMSEC ESSIEN.

5. FOR LOLLIS, AF/W--SINCE DRAFTING ABOVE PARAGRAPHS, WE HAVE DISCUSSED WITH NOTTINGHAM YOUR CONVERSATION WITH SHELP. NOTTINGHAM BELIEVES HIS INSTRUCTIONS FROM GREENBERG PRE-VAIL OVER SHELP'S ADVICE AND DOES NOT RPT NOT BELIEVE AMBASSADOR'S INTERVENTION WITH SHUWA TOMORROW WOULD BE ADVISABLE. HE WILL TELEPHONE WILMINGTON TONIGHT TO DOUBLE CHECK HIS INSTRUCTIONS. MEANWHILE WE WILL BE EXPECTING TO FOLLOW SCENARIO IN PARAGRAPH 2 ABOVE.

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SUMD

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Disposition Date: 28 MAY 2004
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Disposition Reason:
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Margaret P. Grafeld
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